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YELP INC., JEREMY STOPPELMAN, LANNY BAKER, and
11 JED NACHMAN

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

16 JONATHAN DAVIS and ROEI AZAR, on
17 Behalf of All Others Similarly Situated.

Case No. 3:18-cv-00400-EMC

Plaintiffs,

V

YELP, INC., JEREMY STOPPELMAN,
LANNY BAKER and JED NACHMAN

Defendants.

**THIRD JOINT STIPULATION AND
[PROPOSED] ORDER CONTINUING
DATE TO FILE MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

The Hon. Edward M. Chen

1 Lead Plaintiff Jonathan Davis, on behalf of himself and the certified class (“Lead Plaintiff”),
2 and Defendants Yelp Inc., Jeremy Stoppelman, Lanny Baker and Jed Nachman (collectively
3 “Defendants”; and together with Lead Plaintiff, the “Parties”), hereby enter into the following
4 stipulation and jointly request that the Court reset the date for Plaintiff to file his motion for
5 preliminary approval of the settlement of the above-captioned action (the “Action”).

6 WHEREAS, on September 9, 2021, the Court entered an Order Denying Defendants’
7 Motion for Summary Judgment (ECF No. 169);

8 WHEREAS, on November 12, 2021, the Parties participated in a mediation but failed to
9 reach an agreement to settle the Action;

10 WHEREAS, on November 24, 2021, the Parties reached an agreement in principle to settle
11 the Action in its entirety;

12 WHEREAS, on December 3, 2021, the Parties executed a Settlement Term Sheet, setting
13 forth all the material deal points associated with resolution of the Action;

14 WHEREAS, on December 10, 2021, the Court entered an Order: (1) stating that Plaintiff
15 will submit his motion for preliminary approval of the proposed class action settlement within 60
16 days, or will provide the Court with an update at that time; (2) requiring the Parties to submit a Joint
17 Report on March 1, 2022; and (3) setting a Status Conference for March 8, 2022 at 2:30 p.m. (ECF
18 No. 178);

19 WHEREAS, on February 9, 2022, the Court entered the Joint Stipulation and Order
20 Continuing Date to File Motion for Preliminary Approval of Settlement stating that Plaintiff will
21 submit his motion for preliminary approval of the proposed class action settlement by March 1,
22 2022, or the Parties will submit a Joint Report updating the Court at that time (ECF No. 180);

23 WHEREAS, on March 1, 2022, the Court entered the Second Joint Stipulation and Order
24 Continuing Date to File Motion for Preliminary Approval of Settlement stating that Plaintiff will
25 submit his motion for preliminary approval of the proposed class action settlement by March 31,
26 2022, or the Parties will submit a Joint Report updating the Court at that time;

27 WHEREAS, the Parties have exchanged drafts of the Stipulation of Settlement and exhibits
28 thereto;

1 WHEREAS, there are many constituencies involved in the review and approval of the
2 settlement terms, including Yelp's board of directors and insurance carriers, and Yelp requires
3 additional time to finalize its review and approval of the settlement terms;

4 WHEREAS, the Parties are engaged in ongoing discussions to resolve the remaining terms
5 of the Settlement;

6 THEREFORE, IT IS STIPULATED AND AGREED between the undersigned Parties, by
7 and through their respective counsel and subject to the Court's approval, as follows:

8 1. Plaintiff will submit his motion for preliminary approval of the proposed class action
9 settlement by April 14, 2022, or the Parties will submit a Joint Report updating the Court at that
10 time.

11 IT IS SO STIPULATED, through Counsel of Record.

12 Dated: March 31, 2022

ARNOLD & PORTER KAYE SCHOLER LLP

13 By: /s/ Aaron F. Miner

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Attorneys for Defendants

19 Dated: March 31, 2022

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Dated: March 31, 2022

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9
and the Class

10
ATTESTATION PURSUANT TO LOCAL RULE 5-1(h)(3)

11
This certifies, pursuant to Civil Local Rule 5-1(h)(3), that all signatories to this document
12
concur in its content and have authorized this filing.

13
Dated: March 31, 2022

14
/s/ Aaron F. Miner
Aaron F. Miner

15
16
PURSUANT TO STIPULATION IT IS SO ORDERED

17
18
DATED: March 31, 2022

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HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE